

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

**THIS DOCUMENT RELATES TO  
ALL CASES**

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**AMNEAL DEFENDANTS' STATUS REPORT  
IN ADVANCE OF SEPTEMBER 23, 2022 STATUS CONFERENCE**

Pursuant to the directive by the Court during the June 22, 2022 status conference, and in advance of the September 23, 2022 status conference, Defendants Amneal Pharmaceuticals LLC (“AP LLC”), Amneal Pharmaceuticals of New York, LLC (“AP NY LLC”), and Amneal Pharmaceuticals, Inc. (“API”) (collectively “Amneal Defendants”), submit the following status report.<sup>1</sup>

On June 27, 2022, Amneal Defendants and other remaining manufacturer and distributor defendants participated in a conference with members of the Plaintiffs’ Executive Committee (“PEC”) that was moderated by Special Master David Cohen. The parties agreed that individual defendants would participate in individual conferences with members of the PEC.

On July 27, 2022, counsel for Amneal Defendants met with the PEC to discuss certain threshold issues they identified in their prior status report (Doc. 4532), and a process for a mutual exchange of information. Amneal Defendants subsequently provided the PEC with a list of cases where they are named as defendants, including information for plaintiffs’ counsel in such cases. Amneal Defendants also indicated that they have made extensive document productions in accordance with DR-22, which contain many of the documents and information requested by the

---

<sup>1</sup> For convenience, the Amneal Defendants provide this consolidated status report. However, each Amneal Defendant expressly preserves and does not waive all of its rights, reservations, objections, and arguments, including with respect to service and lack of personal jurisdiction.

PEC. The PEC subsequently provided a list of cases where they believe Amneal Defendants are named, and Amneal Defendants are working to cross-reference the list of cases from the PEC with their list of cases.

Amneal Defendants remain willing to work toward the prospect of resolving the cases in which they are named; however, the pace of the discussions has been complicated by the fact that the PEC only represents approximately one-third of the plaintiffs that name Amneal Defendants. Amneal Defendants have expressed to the PEC that they are seeking resolution of the cases in which they are named, but it is Amneal Defendants' understanding that the PEC may not have the ability to negotiate or otherwise engage in settlement discussions on behalf of the plaintiffs who are not represented by the PEC. In that regard, the PEC has directed Amneal Defendants to reach out to the individual plaintiffs' counsel for any documents and information they need to meaningfully engage in settlement discussions. Amneal Defendants intend to work with the PEC to determine whether there is a reasonable path forward to obtain this information in an efficient manner, and work toward a resolution of the cases in which Amneal Defendants are named.

Given that discussions with the PEC are ongoing, Amneal Defendants respectfully submit that it would be appropriate to maintain the current course of setting another status conference in 90 days.

Respectfully submitted,

/s/ Paul J. Cosgrove

Paul J. Cosgrove

ULMER & BERNE LLP

312 Walnut Street, Suite 1400

Cincinnati, Ohio 45202

Phone: (513) 698-5000/Fax: (513) 698-5001

pcosgrove@ulmer.com

Joshua A. Klarfeld

ULMER & BERNE LLP

1660 W. 2nd Street, Suite 1100

Cleveland, OH 44113

Phone: (216) 583-7000/Fax: (216) 583-7001

jklarfeld@ulmer.com

*Attorneys for Defendants Amneal Pharmaceuticals,  
Inc., Amneal Pharmaceuticals LLC, and Amneal  
Pharmaceuticals of New York, LLC*

**CERTIFICATE OF SERVICE**

The undersigned certifies on September 21, 2022, the foregoing was filed using the Court's CM/ECF system and will be served via the Court's CM/ECF filing system on all attorneys of record.

/s/ Paul J. Cosgrove